

# United States District Court

EASTERN DISTRICT OF WISCONSIN

## JUDGMENT IN A CIVIL CASE

UNITED STATES OF AMERICA,

V.

CASE NUMBER: **03-C-1297**  
**(00-Cr-116)**

GUADALUPE PEREZ,

Movant.

- ☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.
- ☒ **Decision by Court.** This action came on for consideration and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Guadalupe Perez's petition pursuant to Title 28, United States Code, Section 2255, is **DENIED**.

Perez's ineffective of counsel claim is **DISMISSED** because he has not shown that counsel's performance fell below minimum professional standards and, even if he had shown that it was deficient, he has not shown that his deficient performance "prejudiced" Perez.

Perez's request for clemency is **DENIED** because the power to grant clemency is with the executive branch, not the judicial branch.

This case is hereby **DISMISSED WITH PREJUDICE**.

September 15, 2006  
Date

SOFRON B. NEDILSKY  
Clerk

s/ Linda M. Zik  
(By) Deputy Clerk